

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. James Anthony Frink

Docket No. 7:07-CR-76-2BR

Petition for Action on Supervised Release

COMES NOW John A. Cooper, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of James Anthony Frink, who, upon an earlier plea of guilty to 21 U.S.C. § 846, Conspiracy to Distribute and Possess With the Intent to Distribute more than 50 grams of Cocaine Base (Crack)21 U.S.C. § 841(a)(1) & 18 U.S.C. § 2, Distribution of 5 grams or more of Cocaine Base and Aiding and Abetting, and 18 U.S.C. § 924(c) Possession of a Firearm in Furtherance of a Drug Trafficking Offense, was sentenced by the Honorable W. Earl Britt, Senior U.S. District Judge, on January 7, 2008, to the custody of the Bureau of Prisons for a term of 187 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

James Anthony Frink was granted Clemency by the President of the United States and released from custody on May 19, 2017, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On June 15, 2017, Frink submitted to urine testing and the result of the sample submitted was positive for cocaine. Frink signed an Admission of Drug Use form and agreed to serve two days in jail and participate in the DROPS program. This is the first violation since his release and the defendant appears to be struggling with his sudden return to the community. Our office recommends the court modify the conditions of supervision by imposing the two special conditions noted below. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days; The defendant shall begin the DROPS Program in the second use level.
2. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 2 days, as arranged by the probation office and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

/s/ John A. Cooper
John A. Cooper
U.S. Probation Officer
2 Princess Street, Suite 308
Wilmington, NC 28401-3958
Phone: 910-679-2046
Executed On: July 13, 2017

ORDER OF THE COURT

Considered and ordered this 28 day of July, 2017, and ordered filed and
made a part of the records in the above case.

W. Earl Britt
Senior U.S. District Judge

